

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 20-20538

Honorable David M. Lawson

MATTHEW DARREL CHILDERS,

Defendant.

**ORDER ADJOURNING TRIAL AND EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT**

On September 8, 2022, the Court held a status conference with the defendant and counsel for the parties to discuss their stipulation to continue the presently scheduled motion cut-off, plea cut-off, pretrial conference, and trial dates. The defendant recently obtained new counsel, who needs time to review the voluminous discovery material in this case and determine whether any pretrial motions should be filed. Proper trial preparation, which includes obtaining and evaluating all information bearing on the defendant's decision to file motions, plead guilty, or proceed to trial, is necessary to provide constitutionally adequate representation. The Court therefore will continue the motion filing and plea deadlines and adjourn the final pretrial conference and trial for the reasons stated on the record.

The Court finds that the parties have shown good cause for the stipulated adjournment which is necessary to provide reasonable time for effective preparation. The Court further finds that in the interests of justice the time between September 8, 2022 and the new trial date of January 3, 2023 should be excluded from the 70-day calculation under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

Accordingly, it is **ORDERED** that the motion filing deadline is extended to **November 7, 2022**.

It is further **ORDERED** the plea agreement deadline is extended to **December 15, 2022**.

It is further **ORDERED** that the parties must appear for a final pretrial conference on **December 15, 2022 at 1:00 p.m.**

It is further **ORDERED** that the jury trial will begin on **January 3, 2023 at 8:30 a.m.**

It is further **ORDERED** that the time between September 8, 2022 and the new trial date of January 3, 2023 shall be **EXCLUDED** from the 70-day calculation under the Speedy Trial Act, because the failure to grant the stipulated adjournment would deny the parties' counsel the reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv).

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: September 8, 2022